



Docket No.: 000687-00313
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Chen DING et al.

Application No.: 10/750,552

Confirmation No.: 5538

Filed: January 2, 2004

Art Unit: 2192

For: TEMPORAL AFFINITY ANALYSIS USING
REUSE SIGNATURES

Examiner: J. D. Rutten

DECLARATION UNDER 37 C.F.R. § 1.132

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated April 17, 2007, the undersigned declare as follows.

1. The undersigned, who are also the inventors named in the above-captioned patent application, are also the original, first and joint inventors of the subject matter disclosed and claimed therein.

2. The undersigned are co-authors of a paper by Y. Zhong et al, "Reuse Distance Analysis for Scientific Programs," *Proceedings of Workshop on Languages, Compilers, and Run-time Systems for Scalable Computers*, Washington, D.C., March 2002. The other co-author of that paper, Ken Kennedy, now deceased, did not participate in the development of the algorithms and techniques disclosed in that paper or disclosed and claimed in the present

application and was not a co-inventor of the invention disclosed in that publication or of the invention disclosed and claimed in the present application.

3. Dr. Kennedy was named as a co-author because he encouraged the direction of the research carried out by the inventors and commented on the use of the benchmarks. However, he did not originate any of the ideas which went into the present invention.

4. Under his leadership, the research compiler that was used to implement Fortran programs to collect (although not analyze) data access traces was developed at Rice University. The compiler support is not part of the present invention, nor does the invention depend on that compiler support or on compiler support in general. For example, binary instrumentation, which the inventors used in later papers, could also be used to collect data access traces within the scope of the invention.

5. Also, Dr. Kennedy did not participate in the writing of the paper. Instead, he was named as a co-author for the reasons set forth in the preceding paragraph. A copy of the paper was sent to Dr. Kennedy after it had been accepted for publication.

6. Thus, the other co-author assisted in the publication effort but was not a co-inventor of the subject matter disclosed in that article or of that disclosed and claimed in the present application.

The undersigned hereby declare that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Ding', with a stylized, flowing script.

Chen Ding

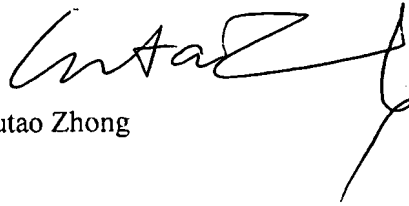
Yutao Zhong

The undersigned hereby declare that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Chen Ding

Yutao Zhong

A handwritten signature in black ink, appearing to read 'Yutao Zhong', with a long, sweeping horizontal stroke extending to the right.